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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,807	12/21/2004	Esa Nettamo	KOLS.171US	2945

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EXAMINER	
CARTER III, ROBERT E	
ART UNIT	**PAPER NUMBER**
2609	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/518,807	NETTAMO, ESA	
	Examiner	Art Unit	
	Robert E. Carter	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *09/07/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka (US Patent # 5,266,931).

As for claims 1-5 and 9-12,

Tanaka teaches:

A portable electronic device (Col. 2, lines 62-64, Fig. 1) comprising a touch screen having a plurality of contact areas (Col. 3, lines 11-27, Fig. 1, #8) and a control unit (Col. 3, lines 8-10, Fig. 1, #4) for interpreting control commands given on the touch screen (Col. 3, lines 15-19), and a method of interpreting a control command given on said touch screen of said portable electronic device, in which method the combination of a touch on an area interpreted as a contact area and a release of the touch from the area interpreted as said same contact area is interpreted as a control command, the method comprising interpreting, once the contact area (Fig. 5, [x1, y1]-[x2, y2]) has been

touched, a larger contact area (Fig. 5, [x3, y3]-[x4, y4]) as said same contact area for the release of the touch than the contact area before the touch. Wherein the larger contact area (Fig. 5, [x3, y3]-[x4, y4]) for the release of the touch including, not only the contact area (Fig. 5, [x1, y1]-[x2, y2]) for the touch, but also an expansion of that area into the adjacent areas, in each free direction.

While Tanaka does not explicitly state and amount for the increase in dimension "W", in figure 5, which is an example of the preferred embodiment, W measures 5/16". The contact area measures about 1-5/8" by 15/16" which yields an area of 1.5 square inches increasing the area by W = 5/16" in each direction yields an enlarged contact area of 3.5 square inches. This enlarged area is more than twice the size of the original area, therefore Tanaka also teaches interpreting the larger contact area (Fig. 5, [x3, y3]-[x4, y4]) for the release of the touch to include, not only the contact area (Fig. 5, [x1, y1]-[x2, y2]) for the touch, but also an equally large expansion of the contact area for the touch in each free direction. Furthermore, Tanaka teaches wherein the larger contact area (Fig. 5, [x3, y3]-[x4, y4]) for the release of the touch being at least 25 percent larger than the contact area (Fig. 5, [x1, y1]-[x2, y2]) for the touch.

As for claims 6-8 and 13-17,

Tanaka teaches all of the limitations of claims 1-5 and 9-12, and further teaches:

A device and method for performing signaling once the contact area has been touched (Col. 4, lines 1-3), wherein said signaling being a light, voice or vibration signal (Col. 4, lines 1-3), wherein the signaling is continued as long as the touch remains in the area

that is interpreted as the contact area and that was touched (Col. 4, lines 9-27), wherein the portable electronic device is a mobile station (Col. 1, lines 11-18, 45-48, Col. 2, line 62-Col. 3, line 10, Fig. 1), wherein the portable electronic device is a PDA (Personal Digital Assistant) device or a portable computer (Col. 1, lines 11-18, 45-48, Col. 2, line 62-Col. 3, line 10, Fig. 1).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka in view of Madsen et al. (US Patent # 6,181,284).

As for claims 18-20,

Madsen et al. teaches:

A portable computer (Col. 1, lines 5-8, Fig. 1) with a touch screen (Col. 7, lines 31-42), a telecommunication connection providing Internet access (Col. 1, lines 9-13), and a wireless connection (Col. 3, lines 5-10) connecting via WLAN and Bluetooth technology (Col. 7, lines 21-30). Therefore, because both Madsen et al. and Tanaka disclose a portable computer with a touch screen, at the time of the invention, it would have been obvious to one of ordinary skill in the art to add the internet, Bluetooth, and WLAN connections in Madsen et al. to the portable computer in Tanaka, to enable the user to interact with other electronic devices, networks, and the Internet.

6. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka in view of Singh (US Patent # 6,157,379).

As for claims 18-20,

Singh teaches:

A portable computer (Col. 1, lines 20-25, Fig. 3) with a touch screen (Col. 1, lines 6-12), a telecommunication connection providing Internet access (Col. 1, lines 25-28), and a wireless connection (Col. 1, lines 25-28) connecting via infrared technology (Col. 5, lines 43-55). Therefore, because both Singh and Tanaka disclose a portable computer with a touch screen, at the time of the invention, it would have been obvious to one of ordinary skill in the art to add the internet and infrared connections in Singh to the portable computer in Tanaka, to enable the user to interact with other electronic devices, networks, and the Internet.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hube et al. (US Patent # 5,119,079) discloses a touch panel with enlarging contact zones.

Bates et al. (US Patent # 5,565,894) discloses a touch panel with dynamically adjustable contact areas.

Kanemitsu et al. (US Patent # 5,877,751) discloses a touch panel with enlarging contact zones.

Brockman et al. (US Patent # 6,125,356) discloses a portable computer with wireless connectivity.

Tran et al. (US Patent # 6,157,935) discloses a portable computer with wireless connectivity.

Nathan (US Patent # 6,456,952) discloses a touch panel that adjusts the contact areas to correct for calibration drift.

Endo (US Patent # 6,795,059) discloses a touch panel with dynamically adjustable contact areas.

Kairis (US Patent # 7,103,852) discloses a touch panel with dynamically adjustable contact areas.

Kobayashi (US Patent # 7,154,483) discloses a touch panel with enlarged contact zones.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert E. Carter whose telephone number is 571-270-3006. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

REC

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